

BEFORE THE BOARD OF HORSE RACING
DEPARTMENT OF LIVESTOCK
STATE OF MONTANA

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| In the matter of the proposed adoption of |) | NOTICE OF PROPOSED |
| NEW RULES I-VII pertaining to match |) | ADOPTION |
| bronc rides under the parimutuel system |) | |
| |) | NO PUBLIC HEARING |
| |) | CONTEMPLATED |

TO: All Concerned Persons

1. On April 22, 2007, the Board of Horse Racing proposes to adopt the above-stated rules.

2. The Board of Horse Racing will make reasonable accommodations for persons with disabilities who wish to participate in the rulemaking process and need an alternative accessible format of this notice. If you require an accommodation, contact the Board of Horse Racing no later than 5:00 p.m. on April 13, 2007 to advise us of the nature of the accommodation that you need. Please contact Marlys Stark, P.O. Box 200512, Helena, MT 59620-0512; phone (406) 444-4287; TTD number: 1-800-253-4091; fax: (406) 444-4305; e-mail: mstark@mt.gov.

3. The rules as proposed for adoption provide as follows:

NEW RULE I MATCH BRONC AND WILD HORSE RIDE DEFINITIONS In this subchapter, the following definitions apply:

- (1) "Draw" means the procedure for matching riders and horses as overseen by the judges and stewards.
- (2) "Entry" means the combination of individual riders and horses as assigned a betting entry number.
- (3) "Judge" means a person licensed by the board to evaluate match bronc rides and enter scores on the performances of riders and horses.
- (4) "Long-go" means a section of qualifying match rides to determine the high scoring riders who will advance to the championship short-go match.
- (5) "Mark-out" means the bronc rider must have both feet over the point of the bronc's shoulder, toes pointed out, from the time the chute gate opens until the bronc's front feet hit the ground.
- (6) "Match bronc ride" has the same definition found at 23-4-101, MCA.
- (7) "Qualified ride" means a ride which lasts eight seconds as determined by the official timer.
- (8) "Re-ride" means the judges' granting of a ride on a substitute horse due to an incident on the original ride which was beyond the rider's control. The term is synonymous with "scratch" for parimutuel betting purposes.
- (9) "Rodeo secretary" means the person licensed by the board who is responsible for collecting entry fees, recording draws, collecting and compiling judges' scores, determining placing, and paying prize money to contestants.

(10) "Score" means the aggregate number of points awarded by the judges during a qualified ride. Such points will be averaged to arrive at a final score.

(11) "Scratch" means the disqualification of an entry such that no parimutuel pay-out is made.

(12) "Short-go" means the final championship round composed of riders who qualified by attaining the highest scores in the qualifying or long-go round matches.

(13) "Timer" means the person licensed by the board who determines the official qualifying rides of eight second duration.

(14) "Wild horse ride" has the same definition found at 23-4-101, MCA.

AUTH: 23-4-104, 23-4-202, MCA

IMP: 23-4-101, 23-4-105, 23-4-202, MCA

NEW RULE II DRAWING STOCK FOR ENTRIES

(1) The stock contractor(s) must provide the rodeo secretary a list of names of all horses which will be utilized for the match bronc event at least 72 hours prior to the event.

(2) The stock contractor(s) must designate the horses to be utilized for the short-go. Such list shall not include any re-ride animals. These horses may not be utilized for the long-go rounds.

(3) Four hours prior to the event the judges, witnessed by the stewards, shall match horses and riders through use of a random draw. Wagering numbers will be consistent with numbers assigned to horses printed in the program and specified as long-go horses per section. Stock draws must be conducted so that an entrant may witness the draw, provided that a judge may require any individual who does not maintain a businesslike behavior to leave the draw area.

(4) A contestant must compete on the stock drawn for the contestant. If an animal is deemed unfit to compete, the entry is a scratch for parimutuel purposes.

(5) The short-go championship round shall be drawn, in its entirety, just prior to the start of the championship short-go round. Each qualified finalist shall draw the name of a mount from the reserved horse short-go list, in the arena, as supervised by the judges and steward, and the resulting match announced to the audience.

AUTH: 23-4-104, 23-4-202, MCA

IMP: 23-4-101, 23-4-105, 23-4-202, MCA

NEW RULE III PROGRAMS FOR MATCH BRONC RIDES

(1) Horses designated for the sections of the long-go are assigned a number. A program will be compiled by the track licensee including such items as:

(a) horse's name and number;

(b) a synopsis of rules under which the event is to be contested; and

(c) a list of horses reserved for the short-go championship round in numerical order, as assigned for betting entry purposes.

(2) This program shall be available at least 24 hours prior to the event being contested.

AUTH: 23-4-104, 23-4-202, MCA

IMP: 23-4-101, 23-4-105, 23-4-202, MCA

NEW RULE IV MATCH BRONC RIDE OFFICIALS (1) The track licensee shall employ the following officials licensed by the Board of Horse Racing, and submit their names and qualifications to the board at least 30 days prior to the event:

- (a) four judges;
- (b) one chute boss;
- (c) one timer; and
- (d) one rodeo secretary.

(2) Officials shall be qualified to act in such capacity as evidenced by prior experience and training.

AUTH: 23-4-104, 23-4-202, MCA

IMP: 23-4-101, 23-4-105, 23-4-202, MCA

NEW RULE V EQUIPMENT (1) All riding must be done with saddles that meet Professional Rodeo Cowboy Association (PRCA) specifications.

AUTH: 23-4-104, 23-4-202, MCA

IMP: 23-4-101, 23-4-105, 23-4-202, MCA

NEW RULE VI CONDUCT OF MATCH BRONC RIDES (1) The announcer will announce the names of both horse and rider several times prior to the ride.

(2) Once the horse leaves the chute all rodeo rules pertaining to saddle horse bronc riding will be in force, including mark-out and qualified ride.

(3) A qualified ride shall consist of eight seconds and be determined by the official timer.

(4) The four judges shall independently, without consulting with one another, score the contest should the full eight seconds or qualified ride be made.

(5) Decisions of the judges will be final. Any judge, however, who does not perform the judge's duties in compliance with these rules, or who otherwise abuses the judge's position, will be subject to disciplinary action by the board.

(6) Disqualifications may be made by the judges for the rider failing to mark the horse out or for touching the animal with the free hand at any point during the eight second ride. The reason for such disqualification shall be reported to the announcer who will in turn inform the audience.

(7) All rides shall be timed for eight seconds, that time to start when the animal's inside front shoulder passes the plane of the chute gate. All riders must complete the eight second qualification limit to be eligible for a score.

(8) Scoring will be done as follows:

(a) The four judges shall individually score each horse and rider.

(b) The four scores will then be reported to the rodeo secretary, who will, in consultation with the stewards, average the scores for a final total score.

(c) Judges will record, in writing, each score for each qualified ride and submit the score to the rodeo secretary immediately after each successful ride. The official score will be determined from the submissions from the judges and compilation by the rodeo secretary, and will be made official by the stewards before being announced to the audience.

(9) For each race or section, qualified scores are to be recorded by the rodeo secretary, and verified and made official by the stewards. No changes may be made to the scores after they are made official. At the completion of each section or race, the steward shall notify the parimutuel official as to the official order of finish. The top four scores shall be posted as first, second, third, and fourth places for wagering calculation and pay-out purposes.

(10) All scores of qualified rides shall be announced without delay. Any announcement of scores shall be deemed official. The announcer must announce accurately the information received from the judges, compiled by the rodeo secretary, and approved by the stewards.

(11) After the completion of both sections of the long-go, the rodeo secretary, in consultation with the stewards, shall without delay compile a list of the top ten scores. These ten individuals shall be deemed qualified to enter the championship round or short-go. If one of the ten qualifiers is unable to compete due to injury or withdrawal, the next highest scoring qualifier shall advance to the championship round. Should fewer than ten riders qualify for the short-go championship, the number of betting entries for the short-go round shall be adjusted accordingly.

(12) Under the supervision of the judges and stewards while in the arena, the top-scoring long-go riders shall draw for mounts to be ridden in the championship round or short-go from the short-go reserved horses list. The announcer shall announce to the public all mounts drawn and by whom with reference to the horse entry numbers on the list of short-go mounts and their numbers already listed in the program. The tote reader board shall also show the numbers and match names. Numbers and matches shall also be conspicuously posted at all parimutuel locations.

(13) If the judges determine a rider is eligible for a re-ride, the entry will be considered a scratch for parimutuel wagering pay-out calculations. All parimutuel wagers on the scratched entry shall be refunded.

(14) All parimutuel wagers must be made prior to the first horse leaving the chute in each section of the long-go and prior to the first horse leaving the chute in the championship short-go round.

AUTH: 23-4-104, 23-4-202, MCA

IMP: 23-4-101, 23-4-105, 23-4-202, MCA

NEW RULE VII HUMANE TREATMENT OF RODEO ANIMALS (1) No stimulants or hypnotics may be given to any animal used for contest purposes.

(2) Any animal that becomes excessively excited and lays down in the chute repeatedly, or tries repeatedly to jump out of the chute, or in any way appears to be in danger of injuring itself, may be released immediately, with approval of the judges and steward, and will then be considered scratched.

AUTH: 23-4-104, 23-4-202, MCA

IMP: 23-4-101, 23-4-105, 23-4-202, MCA

REASON: The proposed new rules will implement HB 333 passed by the 2007 Legislature to provide for and regulate parimutuel wagering on match bronc

rides and wild horse rides. The proposed new rules are necessary to establish procedures and requirements for officials, participants, and the wagering public to ensure the match bronc rides and wild horse rides are conducted fairly and evenly.

4. Concerned persons may submit their data, views, or arguments concerning the proposed action in writing to Board of Horse Racing, Attn. Marlys Stark, P.O. Box 200512, Helena, MT 59620-0512, by faxing to (406) 444-4305, or by e-mailing to mstark@mt.gov to be received no later than 5:00 p.m., April 19, 2007.

5. If persons who are directly affected by the proposed rules wish to express their data, views, or arguments orally or in writing at a public hearing, they must make a written request for a hearing and submit this request along with any written comments they have to the same address as above. The request for hearing and comments must be received no later than 5:00 p.m., April 19, 2007.

6. If the board receives a request for a public hearing on the proposed action from either 10% or 25, whichever is less, of the persons who are directly affected by the proposed action; from the appropriate administrative rule review committee of the legislature; from a governmental subdivision or agency; or from an association having not less than 25 members who will be directly affected, a hearing will be held at a later date. Notice of the hearing will be published in the Montana Administrative Register. Ten percent of those persons directly affected has been determined to be 130, based on the 1,300 licensees in Montana.

7. An electronic copy of this proposal notice is available through the department's web site at <http://mt.gov/liv/default.asp>.

8. The Board of Horse Racing maintains a list of interested persons who wish to receive notice of rulemaking actions proposed by the board. Persons who wish to have their name added to the list shall make a written request which includes the name and mailing address of the person to receive notices and specifies that the person wishes to receive notices regarding the Board of Horse Racing. Such written requests may be mailed to Marlys Stark, Board of Horse Racing, Department of Livestock, P.O. Box 200512, Helena, MT 59620-0512, faxed to (406) 444-4305, or e-mailed to mstark@mt.gov.

9. The bill sponsor requirements of 2-4-302, MCA, apply and have been fulfilled.

BOARD OF HORSE RACING
DEPARTMENT OF LIVESTOCK

/s/ George H. Harris
George H. Harris
Acting Executive Officer
Department of Livestock

/s/ Carol Grell Morris
Carol Grell Morris
Rule Reviewer

Certified to the Secretary of State March 12, 2007.